



**TEXAS
EDUCATION
AGENCY**

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November 18, 1993

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MBJ
RQ-00639-DM
FILE # AL 23413-93
23690
I.D.# 23413

The Honorable Dan Morales
Attorney General of Texas
P. O. Box 12548
Supreme Court Building
Austin, Texas 78711-2548

RQ-639

Re: Request for Attorney General's Opinion

Dear General Morales:

I have received the enclosed request for an opinion regarding the impact of new Section 41.0052 of the Elections Code upon the Austin Independent School District. The new provision provides:

Sec. 41.0052. Changing General Election Date. (a) The governing body of a political subdivision other than a county may, not later than December 31, 1993, change the date on which it holds its general election for officers to another authorized uniform election date. An election on the new date may not be held before 1994.

(b) A governing body changing an election date under this section shall adjust the terms of office to conform to the new election date.

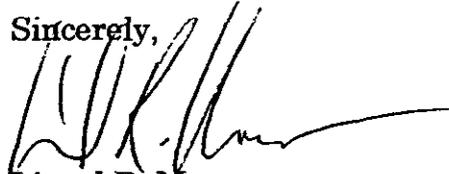
Austin ISD currently holds elections on the third Saturday in January of even numbered years. The district wishes to change its election date to the first Saturday in May of even numbered years which is a uniform election day for school board elections. They wish, however, to make the change effective for May 1996. Therefore, the elections currently scheduled will take place as scheduled for January 15, 1994.

Election matters are beyond my responsibilities for interpreting the Education Code. A prompt determination of the matter will provide needed guidance to the district. I am therefore requesting your formal opinion

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regarding this matter pursuant to Section 402.042 of the Texas Government Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Lionel R. Meno", with a long horizontal flourish extending to the right.

Lionel R. Meno
Commissioner of Education